Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

Town and Country Planning (Permission in Principle) (Amendment) Order 2017

PERMISSION IN PRINCIPLE

Application Number: 2025/90919

To: Gareth Salthouse
Emery Planning
Units 1-4, South Park Business Court
Hobson Street
Macclesfield
SK11 8BS

In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority hereby permits:-
Application for permission in principle for erection of up to 4 dwellings
At: Land off, Heator Lane & Rowgate, Upper Cumberworth, Huddersfield, HD8 8XJ

In accordance with the plan(s) and applications submitted to the Council on 03-Apr-2025 subject to the terms specified hereunder:-

1. Approval of all details of the proposal (hereinafter called "the technical details") shall be obtained from the Local Planning Authority in writing before any development is commenced.

2. Application for approval of the technical details shall be made to the Local Planning Authority before the expiration of three years from the date of this permission in principle.

3. The development hereby permitted in principle shall be begun before the expiration of three years of the final approval of the technical details.

Kirklees Council hereby give notice that **PERMISSION IN PRINCIPLE HAS BEEN GRANTED** for the carrying out of the above development in accordance with the application plans and documents submitted or as may otherwise be amended following written approval by the Local Planning Authority. The Permission in Principle Approved is for the erection of a maximum of four dwellings.

Note: You are advised that an application for approval of Technical Details Consent must be made no later than the expiration of three years beginning with the date of this permission.

Plans and specifications schedule:-

Document Type	Reference	Version	Date Received
Location Plan	2260-G&T-Z0-00-DR-A-1000		14/04/2025
Planning Statement	19-512	Stage 1	14/04/2025
Re: Stage 1 (Rebuttal Statement)	19-512		08/05/2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

An additional document was provided by the agent in response to an objection received as well as an email detailing a recent appeal case. Both these have been taken into consideration, alongside all other submitted information, during the assessment of the application.

How to apply for Technical Details Consent

You can apply online for approval of the technical details at the Planning Portal website at. Alternatively, the forms and supporting guidance for submitting an application can be found online at Kirklees Council Planning. Your application should be submitted as a full planning application but with specific reference to the 'Permission in Principle' consent.

Development within a Coal Mining Area [where relevant]

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities.

As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
Gov.uk – Building on within the influencing distance of mine entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: Ground Stability or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website

The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 17-Jun-2025

Signed:



David Shepherd
Executive Director for Place

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at Kirklees Council Planning, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2018/60/91106/E.

If a paper copy of the decision notice or decided plans are required please email planning.contactcentre@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: planning.contactcentre@kirklees.gov.uk